

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3   JOHN G. BURNETT, SR.,

Case No.: 2:21-cv-00606-APG-DJA

4           Plaintiff

**Order**

5   v.

[ECF Nos. 9, 12]

6   EQUIFAX SERVICES LLC, et al.,

7           Defendants

8           Plaintiff John Burnett, Sr. and defendant Everglades College Inc. stipulate to arbitrate  
9 their dispute and request this action be stayed as to Everglades pending completion of the  
10 arbitration. ECF No. 12. I grant the stipulation in part. I grant the stipulation as to Burnett and  
11 Everglades resolving their claims through private arbitration. However, I deny the stipulation to  
12 stay this action as to Everglades. Because there is nothing left for this court to address regarding  
13 Burnett's claims against Everglades, I dismiss those claims without prejudice to Burnett pursuing  
14 them in arbitration. I further deny Everglade's pending motion to dismiss (ECF No. 9) as moot.

15           I THEREFORE ORDER that the stipulation **(ECF No. 12) is GRANTED in part.**  
16 Plaintiff John Burnett, Sr. and defendant Everglades College Inc. shall arbitrate their dispute in  
17 private arbitration. I deny the request to stay this action as to Everglades College Inc. and  
18 instead dismiss the plaintiff's claims against this defendant without prejudice to the plaintiff  
19 pursuing his claims in arbitration.

20           I FURTHER ORDER that defendant Everglades College Inc.'s motion to dismiss **(ECF**  
21 **No. 9) is DENIED as moot.**

22           DATED this 26th day of May, 2021.

23           

ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE